


FILED

JUN 12 2014

 CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

THOMAS JENSEN,

Plaintiff,

vs.

MINNEHAHA COUNTY JAIL

Defendant.

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CIV 13-4116-RAL

ORDER AND JUDGMENT
DISMISSING CASE
WITHOUT PREJUDICE

On October 16, 2013, the Clerk of Court for the District of South Dakota filed a letter that Thomas Jensen wrote to the Honorable Lawrence L. Piersol as a “complaint.” Doc. 1. Jensen’s letter stated that he had been housed at the Minnehaha County Jail as a federal inmate for over a month, had been taken off of medication that he felt he needed, and did not know what rights he had. Doc. 1.

At the time Jensen wrote the letter, Judge Piersol had pending in front of him petitions to revoke supervised release of Jensen in two different cases. See United States v. Thomas Jensen, 03-CR-50086-LLP, Doc. 141; United States v. Thomas Jensen, 08-CR-50031-LLP, Doc. 314. Judge Piersol signed separate judgments on November 27, 2013, imposing consecutive sentences of 12 months of custody with no supervised release to follow in United States v. Thomas Jensen, 03-CR-50086-LLP, Doc. 165, and 24 months of custody in United States v. Thomas Jensen, 08-CR-80031-LLP, Doc. 336.

Upon filing Jensen’s letter as a “complaint,” the Clerk of Court on October 17, 2013, sent to Jensen a letter advising Jensen of the \$350.00 filing fee for a civil action and the option of applying for leave to proceed in forma pauperis. The Clerk of Court also sent to Jensen the forms for a prisoner civil rights complaint.

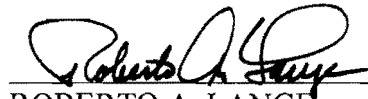
In the approximately eight months since Jensen was sent that letter, Jensen has not completed a prison civil rights complaint form, has not sought to proceed in forma pauperis, has not made any payment toward the filing fee, and has not indicated in any way an interest in proceeding with any complaint in this matter. Rather, Jensen now is in federal custody and has filed appeals of his sentences on revocation of supervised release with the United States Court of Appeals for the Eighth Circuit. Indeed, Jensen's initial letter was well short of stating a claim against any person or entity. Therefore, for good cause, it is hereby

ORDERED, ADJUDGED AND DECREED that, to the extent it was a "complaint," the complaint in this case is dismissed without prejudice to any later refiling. It is further

ORDERED ADJUDGED AND DECREED that judgment enters under Rules 54 and 58 of the Federal Rules of Civil Procedure.

Dated June 12th, 2014.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Roberto A. Lange', is written over a horizontal line.

ROBERTO A. LANGE
UNITED STATES DISTRICT JUDGE